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Attorneys for Defendant / Third-Party Plaintiff, WESTCHESTER
 SURPLUS LINES INSURANCE COMPANY

UNITED STATES DISTRICT COURT
 NORHTERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO

SIERRA BAY CONTRACTORS, INC., A California Corporation,)	CASE NO.: 3:10-cv-04611-RS
Plaintiff,)	STIPULATION AND [PROPOSED]
vs.)	ORDER FOR DISMISSAL OF
WESTCHESTER SURPLUS LINES)	SCOTTSDALE INSURANCE
INSURANCE COMPANY, a Georgia)	COMPANY
corporation, and DOES 1 through 50,)	
inclusive,)	
Defendants.)	
AND RELATED CROSS-ACTIONS)	

Pursuant to F.R.C.P. 41, Defendant and Third-Party Plaintiff, Westchester Surplus Lines Insurance Company (“Westchester”), and Third-Party Defendant and Cross-Claimant, Scottsdale Insurance Company (“Scottsdale”), have agreed and hereby stipulate to the dismissal of Scottsdale from Westchester’s First Amended Third-Party Complaint, with prejudice, subject to said parties’ mutual waiver of costs. Said parties request the Court’s approval and execution of the below proposed order for dismissal.

Case No. 3:10-cv-04611-RS

1 IT IS SO STIPULATED.

2
3 DATE: December 19 2012

SELMAN BREITMAN, LLP

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5
6 By: 

LISA MARTIN LAMPKIN
Attorneys for Third-Party Defendant and Cross-
Claimant, SCOTTSDALE INSURANCE
COMPANY

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9
10 DATE: December 19, 2012

MORALES, FIERRO & REEVES

11
12 By: _____

13 DAVID A. ASTENGO
Attorneys for Defendant and Third-Party Plaintiff
14 WESTCHESTER SURPLUS LINES
INSURANCE COMPANY

15
16 **[PROPOSED] ORDER OF PARTIAL DISMISSAL**

17 Having reviewed the above stipulation, the Court orders that Defendant and Third-Party
18 Plaintiff, Westchester Surplus Lines Insurance Company's, First Amended Third-Party Complaint
19 against Third-Party Defendant and Cross-Claimant, Scottsdale Insurance Company, be dismissed,
20 with prejudice. The remainder of Westchester Surplus Lines Insurance Company's First Amended
21 Third-Party Complaint shall not be changed or impacted by this Order.

22 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

23
24 Date: 12/19/12



25 HONORABLE RICHARD SEEBORG
26 United States District Court
27 Northern District of California
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